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Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

CENTER FOR BIOLOGICAL DIVERSITY,

Plaintiff,

vs.

DEBRA HAALAND et al.,

Defendants,

and

LEE CANYON SKI LIFTS, INC.,

Defendant-Intervenor

Case No. 2:20-cv-02131-RFB-DJA

**THIRD STIPULATION AND
[PROPOSED] ORDER FOR
EXTENSION OF THE BRIEFING
SCHEDULE**

Pursuant to Fed. R. Civ. P. 6(b) and LR IA 6-1, Plaintiff CENTER FOR BIOLOGICAL DIVERSITY, by and through its attorneys; and Federal Defendants DEBRA HAALAND, in her official capacity as Secretary of the U.S. Department of the Interior, MARTHA WILLIAMS, in her

1 official capacity as Principal Deputy Director of the U.S. Fish and Wildlife Service, GLEN
2 KNOWLES, in his official capacity as Field Supervisor of the Southern Nevada Fish and Wildlife
3 Office; U.S. FISH AND WILDLIFE SERVICE; WILLIAM DUNKELBERGER, in his official
4 capacity as Humboldt-Toiyabe National Forest Supervisor, and the U.S. FOREST SERVICE
5 (collectively “Federal Defendants”), by and through their attorneys; and Defendant-Intervenor LEE
6 CANYON SKI LIFTS, INC., by and through its attorneys, hereby stipulate to an extension of the
7 briefing schedule. Plaintiff’s motion for summary judgment is currently due on August 20, 2021. *See*
8 ECF 26, ¶ 4; ECF 31 at 1-2; ECF 34 at 1-2. This is the third stipulation for an extension of time for
9 the briefing schedule.
10

11 The parties propose the following briefing schedule in place of the current one:

- 12 1. Deadline for Plaintiff to file its motion for summary judgment, which will be limited to 45
13 pages: October 19, 2021
- 14 2. Deadline for Federal Defendants to file their response to Plaintiff’s motion, and any cross-
15 motion for summary judgment, which brief will be limited to 40 pages: November 16, 2021
- 16 3. Deadline for Defendant-Intervenor to file its response to Plaintiff’s motion, and any cross-
17 motion for summary judgment, which brief will be limited to 30 pages: December 7, 2021
- 18 4. Deadline for Plaintiff to file its combined response and reply, which brief will be limited to
19 40 pages: January 4, 2022
- 20 5. Deadline for Federal Defendants to file any reply, which brief will be limited to 25 pages:
21 February 7, 2022
- 22 6. Deadline for Defendant Intervenor to file any reply, which brief will be limited to 20 pages:
23 February 21, 2022

24 This stipulation is warranted because settlement discussions between the parties are
25 continuing. The parties would like to bring this matter to conclusion without further litigation, if
26
27
28

possible, and believe that more productive settlement discussions would be facilitated by an extension of the current briefing schedule.

Dated: August 19, 2021

Respectfully submitted,

/s/ Scott Lake

Scott Lake

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CERTIFICATE OF SERVICE

I hereby certify that today I electronically filed the foregoing SECOND STIPULATION AND [PROPOSED] ORDER FOR EXTENSION OF THE BRIEFING SCHEDULE with the Clerk of the Court using the CM/ECF system, which will send notification of such upon all attorneys of record.

Dated this 19th day of August, 2021.

/s/ Scott Lake

Scott Lake